

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

HILTI AKTIENGESELLSCHAFT, )  
                                )  
Plaintiff,                 )  
                                ) C.A. No. 22-1248-CJB  
v.                            )  
                                )  
SPECIFIED TECHNOLOGIES INC., )  
                                )  
Defendant.                 )  
                                )  
                                )

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**HILTI AKTIENGESELLSCHAFT'S UNOPPOSED MOTION  
FOR LEAVE TO AMEND ITS INFRINGEMENT CONTENTIONS**

Pursuant to paragraph 7 of the Scheduling Order (D.I. 35), Plaintiff and Counterclaim-Defendant Hilti Aktiengesellschaft (“Hilti”) hereby respectfully moves for leave to amend its Statement of Asserted Claims and Infringement Contentions (“Infringement Contentions”). Defendant and Counterclaim-Plaintiff Specified Technologies Inc. (“STI”) has stated that it will not oppose this Motion. In support of its Motion, Hilti states the following:

1. On March 17, 2023, Hilti served its Infringement Contentions pursuant to paragraph 3 of the Scheduling Order, as well as its accompanying document production pursuant to paragraph 4 of the Scheduling Order.

2. Per paragraph 3(H) of the Scheduling Order, in Section I.G of its Infringement Contentions, Hilti identified Embodying Instrumentalities that practice the asserted patents.

3. For U.S. Patent Nos. 10,267,036 (the “’036 Patent”) and 10,774,528 (the “’528 Patent”), the Embodying Instrumentalities included the following products: CS-TTS SA 358/600.

4. In preparing supplemental responses to STI’s interrogatories, which were served on July 17, 2023, Hilti realized that a product was mistakenly included as an Embodying Instrumentality due to a clerical error. In particular, the Embodying Instrumentality listed as “CS-TTS SA 358/600” should have been listed as “CS-TTS SA 600.” *See* Exhibit A (excerpt of relevant page of Supplemental Infringement Contentions); Exhibit B (excerpt of relevant pages of redline).

5. Pursuant to paragraph 7 of the Scheduling Order, a party may amend its Infringement Contentions “only by order of the Court upon a timely showing of good cause.” D.I. 35 at ¶ 7. Good cause exists for Hilti’s requested amendment. On the same day that Hilti served its supplemental responses, Hilti also alerted STI to the clerical error regarding the listing of Embodying Instrumentalities.

6. The purpose of this requested amendment is to bring Hilti’s Infringement Contentions into compliance with paragraphs 3 and 4 of the Scheduling Order.

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WHEREFORE, for the foregoing reasons, Hilti respectfully requests that the Court grant its Unopposed Motion for Leave to Amend Its Infringement Contentions.

Dated: July 26, 2023

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*Attorneys for Hilti Aktiengesellschaft*

SO ORDERED, this \_\_\_ day of July, 2023.

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The Honorable Christopher J. Burke

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on July 26, 2023, a copy of the foregoing document was served on the counsel listed below in the manner indicated:

**BY EMAIL**

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